

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

WILLIAM S. AHOLELEI,) CIVIL NO. 03-00171 HG-KSC
Plaintiff,)
vs.)
BARBARA KYSAR; DOCTOR S.)
PADERES, DOCTOR BAUMAN;)
DOES I-V,)
Defendants.)

)

DEPOSITION OF MARY HAYGOOD ARTHUR
UPON WRITTEN QUESTIONS

Taken by and on behalf of the Defendant SISAR PADERES, M.D.
(improperly identified as Doctor S. Paderes), at the office of:
DAVID KUCHENBECKER, M.D., 30 Aulike Street, Suite 602,
Kailua, Hawaii 96734, commencing at 8:15 o'clock A.M.,
on WEDNESDAY, JUNE 21, 2006, pursuant to Rule 31 of the
Federal Rules of Civil Procedure.

MEDICAL
RECORDS OF:

OBTAINED FROM:

WILLIAM S. AHOLELEI
aka STAR AHOLELEI

DAVID KUCHENBECKER, M.D.

BEFORE: FRANCES KRAMER, NOTARY PUBLIC, STATE OF HAWAII
Phyllis K. Kushiner, CSR No.147, State of Hawaii
HONOLULU REPORTING SERVICES
SUITE 401 - 1000 BISHOP STREET
HONOLULU, HAWAII 96813
Telephone Number: 524-6288

EXHIBIT B

1 MARY HAYGOOD ARTHUR,

2 called as a witness by and on behalf of the Defendant
3 SISAR PADERES, M.D. (improperly identified as Doctor S. Paderes)
4 being first duly sworn to tell the truth, the whole truth,
5 and nothing but the truth, was examined and testified upon
6 written questions/interrogatories as follows:

7 EXAMINATION:

8 Q(1) Please state your name.

9 A Mary Haygood Arthur.

10 Q(2) What is your residence address?

11 A 44-150 Kau Place, No. 6, Kaneohe, Hawaii 96744.

12 Q(3) Are you employed?

13 A Yes.

14 Q(4) What is your employer's name?

15 A David Kuchenbecker, M.D.

16 Q(5) What is your employer's address?

17 A 30 Aulike Street, Suite 602, Kailua, Hawaii 96734.

18 Q(6) What is your job or position with your employer?

19 A Nurse Manager.

20 Q(7) In that position do you have under your care,
21 custody and control any and all medical records kept by
22 your employer pertaining to your employer's patients?

23 A Yes.

24 Q(8) Among your employer's medical records under your
25 care, custody and control, are there medical records

1 pertaining to patient(s) : WILLIAM S. AHOLELEI (DOB: 11/17/63)

2 SSN: 575-98-5526) aka STAR AHOLELEI

4 **AUTHORIZATION ATTACHED AS EXHIBIT A**

5 (who is hereinafter referred to as "the above-mentioned
6 patient(s)")?

7 A Yes for medical records.

8 Q(9) Were those records made in the regular course of
9 business?

10 A Yes.

11 Q(10) Were those records made at or near the time of
12 the accident(s), event(s), condition(s), opinion(s) or
13 diagnoses(s) set forth in them?

14 A Yes.

15 Q(11) Were you served with a subpoena requiring your
16 appearance before the notary public for the purpose of
17 answering these questions/interrogatories and requiring you
18 to bring with you any and all of your employer's medical
19 records pertaining to the above-mentioned patient(s)?

20 A Yes.

21 Q(12) Do you have all of those records with you?

22 A Yes.

23 Q(13) Are those records complete?

24 A Yes.

25 Q(14) Do they contain a record of bills and charges for

1 services rendered?

2 A They are not available.

3 Q(15) Has any portion of those records ever been removed
4 from your care, custody and control prior to this time?

5 A No.

6 Q(16) If so, when and by whom?

7 A Not applicable.

8 Q(17) Has any portion of those records ever been altered
9 prior to this time?

10 A No.

11 Q(18) If so, when and by whom?

12 A Not applicable.

13 Q(19) What identifies those records as pertaining to
14 the above-mentioned patient(s)?

15 A Patient's name and date of birth.

16 Q(20) Would you please turn over to the notary public
17 at this time the originals or complete and legible copies
18 of any and all of your employer's medical records pertaining
19 to the above-mentioned patient(s) pursuant to the requirements
20 of the Subpoena Duces Tecum with which you were served?

21 A Yes. (Witness complies. Copies turned over.)

22 Q(21) Please describe briefly but completely so that
23 they may be readily identified the above-mentioned medical
24 records which you have turned over to the notary public.

25 A I am turning over radiology reports, laboratory

1 reports, correspondence, pathology and clinic notes.

2 Q(22) Please describe briefly but completely so that
3 they may be readily identified any of your employer's medical
4 records pertaining to the above-mentioned patient(s) which
5 you have not turned over to the notary public, including
6 both those records which you may have brought with you and
7 those records which you have not brought with you.

8 A None except for the billing.

9 Q(23) Are you willing to waive the reading and signing
10 of this deposition?

11 A Yes.

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14 (Thereupon, the deposition taken upon written
15 questions/interrogatories was concluded. The witness has
16 waived the reading and signing of this deposition. Exhibits,
17 if any, are attached.)

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STATE OF HAWAII)
CITY AND COUNTY OF HONOLULU)
SS.

1 I, FRANCES KRAMER, a Notary Public in and for the
2 State of Hawaii, do hereby certify:

3 That on WEDNESDAY, JUNE 21, 2006
4 at 8:15 o'clock A.M., appeared before me the witness,
5 **MARY HAYGOOD ARTHUR**, whose deposition is contained
6 herein; that prior to being examined upon written interroga-
7 tories, the witness was by me duly sworn;

8 I, PHYLLIS K. KUSHINER, C.S.R., Commission Number
9 147, in and for the State of Hawaii, do hereby certify:

10 That the same were taken under my direction and
11 control and was thereafter reduced to typewriting under my
12 supervision; that the foregoing represents, to the best of
13 my ability, a correct transcript of the deposition had at
14 the time in the foregoing matter;

15 That the reading and signing of this deposition
16 were waived by the said MARY HAYGOOD ARTHUR, and
17 the deposition is therefore kept on file without signature
18 pursuant to Court rules.

19 We further certify that we are not counsel for any
20 of the parties hereto, nor in any way interested in the outcome
21 of the cause named in the caption.

25 FRANCES KRAMER,
Notary Public, State of Hawaii
My commission expires: 8/5/2008

PHYLIS K. KUSHINER
Notary Public, State of Hawaii
C.S.R., Commission No. 147
My commission expires: 4/24/2007

NOV 12 2002

CASTLE MEDICAL CENTER

cc: DAVID A KUCHENBECKER, M.D.

cc: Halawa Correctional Facility
Attn: Health Care Unit

DATE OF OPERATION: 11/07/2002

PREOPERATIVE DIAGNOSIS: 1. LEFT URETERAL CALCULUS.

POSTOPERATIVE DIAGNOSIS: 1. SAME.

SURGEON: DAVID A KUCHENBECKER, M.D.

ANESTHESIOLOGIST: Dr. M. Khaw

ANESTHESIA: General

OPERATIVE PROCEDURE: CYSTOURETEROSCOPY, LASER LITHOTRIPSY,
RETROGRADE PYELOGRAM, PLACEMENT OF DOUBLE
J STENT.**INDICATIONS FOR PROCEDURE:**

The patient is a 38 - year old gentleman who presents with a several month history of intermittent left renal colic. IVP shows a large upper ureteral calculus with several bilateral renal calculi and moderate severe left hydronephrosis.

OPERATIVE FINDINGS:

Shows a large upper ureteral calculus, kind of golden yellow, fragments easily. A 7 French 26 cm microvasive double J stent in good position at the conclusion of the procedure.

DESCRIPTION OF OPERATION:

The patient was taken to the operating suite and placed on the table in the supine position. After the induction of general anesthesia, the patient was repositioned in a cystolithotomy position where he was prepped and draped sterilely. A 22 French Storz cystoscope was inserted under direct vision. The bladder entered without difficulty. Pancystoscopy was performed with 30 and 70 degree lens with the findings as described above. Retrograde pyelogram was performed with full strength contrast agent. This documented the presence of the stone in the upper ureter. Contrast was able to be passed beyond the stone, documenting marked hydronephrosis of the kidney. Attempt at passing the guide wire through the cystoscope proved unsuccessful.

Castle Medical Center
640 Ulukahiki Street
Kailua, Hawaii 96734
(808) 263-5500

OPERATIVE REPORT*

PATIENT: AHOLEI, STAR V
MR #: 18-91-20
ATT PHYS: DAVID A KUCHENBECKER, M.D.
DATE: 11/07/2002
ROOM:

COPY

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CASTLE MEDICAL CENTER

The ureteroscope was then advanced over the guide wire up to the level of the calculus and under direct vision the guide wire was passed along side the stone and coiled in the upper calix. The ureteroscope was removed and reinserted along side the guide wire up to the level of the calculus. The calculus was sequentially laser fragmented into tiny fragments utilizing the Holmium 365 fiber. After the stone was completely fragmented, the scope was easily advanced up into the renal pelvic area. The renal stones were not readily visible with the rigid scope. The scope was removed. Inspection of the ureter showed the ureter to be intact. The guide wire was then back fed onto the cystoscope, a 7 French 26 cm Polaris double J stent passed over the guide wire, positioned fluoroscopically and the guide wire removed. Coiling in the upper pole calix was noted as well as in the bladder. A tether was left for subsequently stent removal. Several of the smaller stone fragments that were previously irrigated out of the ureter were retrieved and sent for stone analysis purposes. The patient tolerated the procedure well. There were no intra or perioperative complications. He was stable throughout the operative procedure and en route to the recovery room.

DK/ITMS/rd Job # 9180

D: 11/07/2002 0854

T: 11/07/2002 1647

P: 11/08/2002 1125

Charted:

DAVID A KUCHENBECKER, M.D.

Castle Medical Center
 640 Ulukahiki Street
 Kailua, Hawaii 96734
 (808) 263-5500

OPERATIVE REPORT*

PATIENT: AHOLEI, STAR V
 MR #: 18-91-20
 ATT PHYS: DAVID A KUCHENBECKER, M.D.
 DATE: 11/07/2002
 ROOM:
 COPY

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CASTLE MEDICAL CENTER**CC: DAVID A KUCHENBECKER, MD****DATE OF OPERATION: 07/30/2003****COPY****PREOPERATIVE DIAGNOSIS: LEFT RENAL CALCULI.****POSTOPERATIVE DIAGNOSIS: SAME.****SURGEON: DAVID A KUCHENBECKER, MD****ASSISTANT SURGEON: NONE.****ANESTHESIOLOGIST: Dr. David Kuchenbecker****ANESTHESIA: Intravenous sedation****OPERATIVE PROCEDURE: EXTRACORPOREAL SHOCKWAVE LITHOTRIPSY
WITH FLUOROSCOPIC LOCALIZATION,
ADMINISTRATION OF INTRAVENOUS CONTRAST.****INDICATIONS FOR PROCEDURE:**

The patient is a 39 - year old recurring stone former who presents with intermittent left colic, discovered to have a 4 x 5 mm calculi in the lower left calix.

DESCRIPTION OF OPERATION:

The patient was premedicated with 10 mg morphine sulfate and 25 mg of Phenergan prior to being transferred to the lithotripsy suite. He was placed on the table in the supine position. The treatment head was elevated. Fine tuning adjustments were made. Because the stone was a lucent variety, intravenous contrast was administered utilizing 50 ml of Omnipaque. Treatment was focused on the lower pole calix where the stone was known to be present on the previous CT imaging. After the contrast appeared in the kidney, the treatment was begun per protocol with a KV of 0.1 and gradually increased to a maximum of 3.5. Intermittent fluoroscopy was performed, assuring the stone complex has stayed at the F-2 focal area. A total of 1.5 minutes of fluoroscopy time were utilized in addition to two snapshot images. A total of 5000 shocks were administered to the stone.

Castle Medical Center

640 Ulukahiki Street
Kailua, Hawaii 96734
(808) 263-5500

OPERATIVE REPORT

PATIENT: AHOLELEI, STAR V
MR #: 18-91-20
ATT PHYS: DAVID A KUCHENBECKER, MD
DATE: 07/30/2003
ROOM:

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The patient received 2.5 mg Versed and 125 mcg of Fentanyl for sedative purposes. The patient tolerated the procedure well. There were no intra or perioperative complications. The patient remained stable throughout the operative procedure and on return to the recovery area.

DAK/ITMS/rld J10309 - 110435

D:08/01/2003 08:30:00

T:08/01/2003 11:44:16

Charted:

DAVID A KUCHENBECKER, MD

Castle Medical Center
640 Ulukahiki Street
Kailua, Hawaii 96734
(808) 263-5500

OPERATIVE REPORT

PATIENT: AHOLELEI, STAR V
MR #: 18-91-20
ATT PHYS: DAVID A KUCHENBECKER, MD
DATE: 07/30/2003
ROOM:

ORIGINAL

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